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Sheet	1	of	4
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Complete if Known

Application Number	10/527.831
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Filing Date	1/09/2006
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<i>First Named Inventor</i>	North
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Art Unit 1644 1634

Examiner Name

Attorney Docket Number	316187
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if known</i>)				
/SP/	10	EP 0320308 B1	11/3/1993	Backman		X
/SP/	11	WO 89/09284	10/5/1989	Walder		X
/SP/	12	GB 2 202328 A	9/21/1988	Soderlund		X
/SP/	13	WO 88/10315	12/29/1988	Gingeras		X
/SP/	14	EP 0329822 B1	6/8/1994	Davey		X
/SP/	15	WO 89/06700	7/27/89	Miller		X

**Examiner
Signature**

/Steven Pohnert/ (03/24/2007) ^{Date} Considered

Date
7 Considered

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STATEMENT BY APPLICANT**

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Sheet 2 of 4

Complete If Known

Application Number 10/527,831

Filing Date 1/9/2006

First Named Inventor North

Art Unit 1644

Examiner Name

Attorney Docket Number 316187

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NON PATENT LITERATURE DOCUMENTS

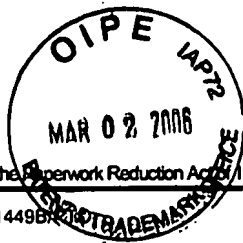
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/SP/	16	BLANCHARD, ANDREW, et al., "The Structure and function of a-actinin," Journal of Muscle Research and Cell Motility 10, 280-289 (1989)	
/SP/	17	BEGGS, Alan H., et al., "Cloning and Characterization of Two Human Skeletal Muscle a-Actinin Genes Located on Chromosomes 1 and 11" The Journal of Biological Chemistry, Vol. 267, No. 13, Issue of May 5, pp 9281-9288, 1992	
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Examiner Signature	/Steven Pohnert/ (03/24/2006)	Date	4/20/06
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Sheet

3

of

4

Complete If Known

Application Number

10/527,831

Filing Date

1/9/2006

First Named Inventor

North

Art Unit

~~1841~~

Examiner Name

Attorney Docket Number

316187

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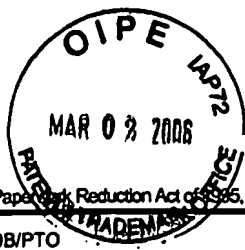
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/SP/	27	POMIES, PASCAL, et al., "CRP1, a LIM Domain Protein Implicated in Muscle Differentiation, Interacts with a-Actinin" The Journal of Cell Biology, Volume 139, Number 1, October 6, 1997, pgs. 157-168	
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Examiner Signature	/Steven Pohnert/ (03/24/2006)	Date Considered	
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STATEMENT BY APPLICANT**

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Sheet 4 of 4

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Application Number 10/527,831

Filing Date 1/9/2006

First Named Inventor North

Art Unit ~~4641~~

Examiner Name

Attorney Docket Number 316187

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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/SP/	38	MELTZOFF, A., "Rational Imitation in Preverbal Infants" Nature, Vol. 415, 14 February 2002, pgs. 755-756	
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/SP/	43	WALKER, G. TERRANCE, et al., "Isothermal in vitro amplification of DNA by a Restriction enzyme/DNA Polymerase System" Vol. 89, pgs. 392-396, January 1992 Applied Biological Sciences, pgs. 392-396	
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/SP/	46	NORTH, KATHRYN N., et al., "Deficiency of a Skeletal Muscle Isoform of a-Actinin (a-Actinin-3) in Merosin-Positive Congenital Muscular Dystrophy" Neuromusc. Disord., Vol. 6, No. 4, pgs. 229-235, 1996	
/SP/	47	FRIDEN, J., et al., "Eccentric Exercise-Induced Injuries to Contractile and Cytoskeletal Muscle Fibre components" Acta Physiol Scand 2001, 171, Scandinavian Physiological Society, pgs. 321-326	

Examiner Signature	/Steven Pohnert/ (03/24/2007)	Date Considered	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	10527831
Filing Date	2006-01-09
First Named Inventor	North
Art Unit	1644 → 1639
Examiner Name	Robert
Attorney Docket Number	59195-316187

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

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☐ See attached certification statement.

☐ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.

☒ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/Richard A. Nakashima/	Date (YYYY-MM-DD)	2007-01-08
Name/Print	Richard A. Nakashima	Registration Number	42,023

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10/527831
09 JAN 2006

#4

IN THE UNITED STATES DESIGNATED OFFICE (DO/US)

In Re the Application of:

NORTH, Kathryn Nance

Int'l. Serial No.: PCT/AU2003/001202

Int'l. Filing Date: September 15, 2003

Priority Date: September 14, 2002

U.S. Serial No.: 10/527,831

For: "ACTN3 GENOTYPE SCREEN FOR)
ATHLETIC PERFORMANCE"

Atty. File No.: 59195-316187

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STATEMENT

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TYPED OR PRINTED NAME: JANICE MESSER

SIGNATURE: *Janice Messer*

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT****Complete if Known**

Application Number	10/527,831
Filing Date	March 15, 2005
First Named Inventor	Kathryn Nance North
Art Unit	
Examiner Name	
Attorney Docket Number	59195-316187

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		PCT	-					
			-					
			-					
			-					
			-					

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner Initials*	Cite No. ¹	
/SP/		"Deficiency of α -Actinin-3 (ACTN3) Occurs in Different Forms of Muscular Dystrophy" by Vainzof et al., Neuropediatrics 28 (1997), 223-228
/SP/		"ACTN3 Genotype is Associated with Human Elite Athletic Performance" by Yang et al., American Journal of Human Genetics, 73: 627-631, 2003
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Filing Date		2006-01-09
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Art Unit	1041 1634	
Examiner Name	pohnert	
Attorney Docket Number	59195-316187	

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number		10527831
Filing Date		2006-01-09
First Named Inventor	North	
Art Unit	1041 <i>1634</i>	
Examiner Name	<i>Pohnert</i>	
Attorney Docket Number	59195-316187	

/SP/	1	NAZAROV, IGOR B., et al., "The angiotensin converting enzyme I/D polymorphism in Russian athletes" European Journal of Human Genetics (2001) 9, 797-801 XP-002404827	<input type="checkbox"/>
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Notice of References Cited	Application/Control No. 10/527,831	Applicant(s)/Patent Under Reexamination NORTH, KATHRYN NANCE	
	Examiner Steven C. Pohnert	Art Unit 1634	Page 1 of 3

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*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U ✓	Mills et al, Human Molecular Genetics (2001) Volume 10, pages 1335-1346
	V ✓	genecards.org/cgi-bin/carddisp.pl?gene=ACTN3&search=actn3&suff=txt, pages 1-11, 3/24/2007 7
	W ✓	Yang, et al, Med. Sci. Sport and Exercise (2005) volume 37, s42
	X ✓	Moran et al, European Journal of Human Genetics (2007) volume 15, pages 88-93

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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